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Summary

During my spring 2015 Semester at Sea voyage, the ship docked in Walvis Bay, Namibia for five days. Prior to the voyage, I knew nothing about Namibia's history. I was surprised to learn of its treacherous past and the role Germany played in shaping its political and economic condition. I took a tour of the Himba settlement, driving hours across the barren, dry land to a small circle of huts. Women cover their skin with red clay and continue the tradition of sauna bathes, never bathing in water in their entire lives. The Himba culture was captivating and it was immense honor to be welcomed to their homes. We also stopped to see the Bushman, or San people, to learn about their fleeting lifestyle. Without enough land or livestock to survive on, both the Himba and San are becoming ever more dependent on tourism and modern-day jobs. They fight to preserve their culture, aware that doing so becomes more difficult each year. Most men wear t-shirts and shorts, and dinner is no longer fresh, but store-bought.

For lunch we stopped at a German farm. The majority of working farms in Namibia are owned by Germans, first acquired during colonization in the early 20th century. Upon returning to the ship, I learned more about German colonization, and came across the Herero War and the first genocide of the 20th Century. The Holocaust in Europe was not Germany's first genocide, yet most of the world only studies the Second World War. The death of 80% of a population at the hand of a major European power should be acknowledged, and so I dedicate my senior thesis to telling this story. The Herero tribe's fight for acknowledgement and reparations for the atrocities committed between 1904-1908 is a significant issue still debated today. The Herero are relentless in trying to regain enough land to sustain a cattle-herding lifestyle once more.

Introduction

While in Namibia, many tourists visit Shark Island by Lüderitz Bay. They can either rent a tent and pitch it up for the night, or stay at a comfortable wildlife resort. Tourists can spend their day admiring “sand roses formed from crystallized gypsum” or relaxing at Agate beach (Kay). Little do they realize, however, that they are sleeping where thousands of Namibians had suffered just over a century ago. Shark Island was an extermination camp. After surrendering to the Germans in 1906, one thousand seven hundred thirty-two Nama were sent to Shark Island nonetheless. Seven months later, one thousand thirty-two were dead, leaving most of the survivors too ill to work (*Namibia - Genocide and the Second Reich*). Much of Namibian history has been covered up. Germany ruled over South West Africa from 1885 until the First World War, conquering its people and land. During German rule, Namibians became foreigners in their own country. The natives’ land and resources were and still remain in the hands of the minority white farmers. The story of the Herero tribe is one still unknown to most of the world, and though it is a gruesome tale of white supremacy, it is a story that must be told. The effects of the Herero genocide of 1904-1908 linger today and have influenced Namibia’s current economic and political condition. The Herero still fight to regain the cattle-herding culture they once had.

The question remains whether their demands are achievable or if it is simply too late. This thesis attempts to answer this question. It is structured in two parts. Part 1 will provide a historical perspective, looking back at what happened while German settlers occupied South West Africa. It analyzes how violence ensued and why the Herero argue that the Herero War was more than a colonial conflict. Part 2 outlines the debate on

reparations, which began in 1990, and the reparations movement that grew in response to proceedings. Courts had to decide whether relevant international laws existed at the time and whether the Herero War went beyond colonial conflict. After court decisions were made, the Herero returned to Africa. Support grew and they continued fighting for acknowledgement and reparations. Throughout the years, the Herero have had small victories, leading to a very aggressive step forward in 2015. Overall, this thesis attempts to create a deep understanding of this significant event of Namibian history. The continued fight for reparations makes this a relevant discussion, pertaining to human rights and law. Analysis leads to the conclusion that the Herero War went beyond colonial conflict, and the Herero deserve acknowledgment and some form of compensation. The atrocities afflicted upon them warrant international support in restoring their culture and basic way of life.

PART 1: Germans in Africa

The story begins in May 1884. The Imperial Chancellor of Germany, Prince Bismarck had a sudden change of heart, deciding that Germany would seize Cameroon, Togoland, and South West Africa. Germany was late to enter the scramble for Africa, previously convinced that “colonies would be an absurd liability for the Reich” (Pakenham 203). Bismarck had argued that it was unfair to use taxpayers’ money to “foot the bill,” that the public was not ready for such a large move, that the miniscule German navy could not realistically protect the acquired colonies, and, lastly, that it would harm diplomacy, complicating matters amongst the Powers. By the spring of 1884, however, Bismarck was feeling “door-closing-panic,” questioning his prior doubts and deciding that Germany was ready after all (Pakenham 204).

Pressure from Africa itself led to his sudden change of heart. Woermann, the head of one of the largest German companies trading in Africa, warned that “the Portuguese were sealing off the Congo, the French were pushing out from Gabon; a British consul (Hewett) was reported to be planning to annex Cameroon,” and Germany had to move fast to “annex some territory and build up a naval base to protect her commercial interests.” In addition to Woermann’s warning, Lüderitz sent in a request for German protection of his small trading post on the Skeleton Coast in South West Africa. In order to stand firmly amongst the British and French, Bismarck decided to protect his businesses, appointing Lüderitz in charge of the territory in South West Africa to govern “under imperial charter.” He based the system on the British charter company system, “making protectorates of territories already established by German traders.” Only the great British Empire stood in his way. It took several months of political dispute,

Germany strategically using a feud between the French and English, and Britain's Achilles heel, Egypt, to pressure the English into conceding. On July 7th, 1884, "Togo and Cameroon had been formally declared German protectorates". It took longer to seize South West Africa, competing with Cape interests, the British crown, and natives for this piece of barren land. German power and occupation were finally confirmed at the Berlin Conference convening on November 15, 1884 (Pakenham 205-217).

Thirteen European states, the Ottoman Empire, and the United States attended the Berlin Conference. It was a time for negotiation and conversation concerning colonization in Africa. Decisions were made, solving territorial disputes, and the countries agreed on acceptable behavior in terms of aggression when dealing with the natives. No Africans were invited (Fischer). Germany confirmed its claim on German East Africa, which is now Tanzania, and German West Africa, which is now Namibia. German West Africa was "over a 20 km-wide belt of land from Lüderitz to the Orange river," spanning three hundred twenty-two thousand four hundred fifty square miles inland to the Kalahari Desert. Germany accepted this land, pledging a sacred duty to "preserve the aboriginal races of Africa," "watch[] over their interests" and "cultivate their moral and material advancement and discovery" (*Report on the Natives...* 18-19). Germany went even further in July 1890, pledging its desire to "protect the native races of Africa from oppression and slavery" during the Anti-Slavery Conference in Brussels. Unfortunately, these promises were broken.

Captain C. von Francois was appointed Administrator of German West Africa in 1890, arriving with twenty-one soldiers and expected to build a relationship with the natives and gain control. Captain Francois and his men arrived amidst a war between the

Herero and the Hottentots (*Report on the Natives... 18-19*). How Captain Francois responded to the situation unfortunately destroyed the Empire's image among the natives, which later escalated to revolt.

1a. Massacre at Hornkranz

In an effort to bring peace to German West Africa, Captain Francois intervened in the Herero and Hottentot War. It was a war like every other, a fight for land. The Nama and Herero were constantly pushing for territory, so much so that land wars had become rather systematic. Each side would fight its best and after a few battles, when the victor became obvious, both sides would back down and sign a peace agreement. War was civil and respectful. That is, before Germany became involved.

Hendrik Witbooi, leader of the Hottentots, also known as the Nama tribe, was firmly against any German intervention and German control of South West African land (Bridgman 45). German Captain Francois and Dr. Goering, therefore, contacted Herero leader Kamaherero, promising to provide the Herero with support. Dr. Goering then wrote to Wibooi, threatening: "I again earnestly request you to make Peace if you wish to preserve yourself, your land, and your people" (*Report on the Natives... 20*). Witbooi wanted nothing to do with the German. He immediately wrote Herero leader Kamaherero, asking for peace, as no war was worth including the Germans in South West African politics. He explained to the Herero that "they had signed treaties with the Germans in order to gain protection against their oppressors only to discover that real oppressors were the Germans"(Bridgman 45). The Herero had "accepted another government" and therefore had "surrendered to that Government"(*Report on the*

Natives... 20). Germany had successfully clawed itself in. Upon receiving the letter, the Herero agreed to peace, and an agreement was signed.

Although peace had finally been established between the Herero and Witbooi Nama tribe, the German could not let Witbooi's defiance go freely. Captain Francois decided that "the conquest of the Witboois was a necessary step in establishing effective German control over the land" (Bridgman 45). In a letter to Francois, a prominent official, Leutwein, supported this action, explaining that the Germans had to "give one of the native races an impression of our power" and that "the Witboois would be suitable for this purpose" (*Report on the Natives...* 26). Hendrik Witbooi had been correct in that Germany had made an alliance with the Herero not for peace, but for power. Two hundred fifty soldiers were shipped from Germany, and on August 12, 1893, Germans attacked the Witbooi camp, killing 150 people (Bridgman 46). Unfortunately, over half were women and children. Hendrik escaped and built up an army of six hundred men. They raided German forces, taking the horses and weapons. In panic, Germany replaced Captain Francois with Major Theodor Leutwein, who was sent in to regain German control. With peace between the Herero and Witbooi, the Germans had only waged war in order to establish their dominance. Germany wanted peaceful compliance, not just peace.

Within the first four years in South West Africa, Captain Francois and German forces destroyed their relationship with the native tribes. Germany had lost their trust and cooperation, becoming enemies instead of allies. Germany had pledged to protect and preserve the natives, but instead massacred a tribe that had just agreed to peace. Although Leutwein was a trusting and more forgiving man, his assignment to ensure Germany's

control in South West Africa and sign Protection Agreements with native tribes was near an impossible task. The natives now knew what Germany wanted and were not willing to give up their freedom and land. Those most threatened were the Herero.

1b. South West African Tribes and Protection Agreements Made with Germany

Namibia is made up of several ethnicities that have divided up into tribes. Modern day, there are thirteen official ethnicities, each with their own way of life and piece of land to survive on ("Namibia People / Tribes and Their Cultures"). In 1894, Governor Leutwein divided German South West Africa's natives into five large groups. The Ovambo, who inhabited the northern stretch of land along the Angolan border, were the largest ethnic group consisting of one hundred thousand people. The Herero, eighty thousand strong, lived on the most desirable stretch of land in the center of the country. The Hottentots (Witbooi or Nama) lived south of the Herero, with approximately twenty thousand people. The Bastards were made up of four thousand people, and the Bushmen and Berg-Damaras had forty thousand (*Report on the Natives...* 34).

With the goal of controlling the colony and signing tribes into Protection Agreements, Leutwein traveled the country meeting with chiefs. Governor Leutwein focused his efforts on the central land of West Africa, deciding to leave the Ovambo alone. The Ovambo survived by growing crops, keeping domestic animals, and gathering wild fruit. While the women worked the fields, the men "were free to devote their energies to cultivating the arts of war". They were well armed, skillfully protecting their land. The German settlers decided to leave them be. The tribe "played no role in the great events of 1904-1907" and never signed any protection agreements (Bridgman 14).

The Herero, however, were not so lucky. They occupied land “from Swakopmund in the west to the Kalahari border in the east, and from the mountains of Outjo in the north to Windhoek and Gobabis in the south” (*Report on the Natives...* 36). This pristine position caused them to fight many wars protecting their land. When Germany arrived it was no different. The German settlers began to expand, desiring this land for themselves. The Herero people, above all, were cattle herders. They “regard[ed] the herding, tending, and accumulation of large herds of cattle as their sole destiny” (*Report on the Natives...* 38). Therefore, owning this land was paramount to their survival. Allowing the Germans to start farming and colonizing the land meant losing their way of life. Their forces, however, were nothing compared to the Germans’. German settlers had weapons, support from one of the most powerful governments in the world, and the mindset that everything in German West Africa was there for the taking. With little choice, two Herero tribes, the Okahndja and Omararuru, ended up signing protection agreements. The Germans were too powerful to hold off.

The Hottentots, or Nama, lived in Namaqualand. (*Report on the Natives...* 30) They were a small group who fought well against the Herero in constant land wars. German forces, however, were too strong. Out of fear, they also entered into protection agreements with Leutwein.

These Protection Agreements gave Germany more power. In exchange for protection, the tribes that entered into the agreements “ceded to [the Germans] a portion of their rights”. The agreements were just another example of how the Germans took advantage of the natives. According to Leutwein, he had no authority to make the promises he had made, and so was not liable to provide the promised services. Only when

“it suited its policy and designs” would German forces hold up their end of the deal (*Report on the Natives...* 32). German settlers, however, still enjoyed the freedom to intervene on tribal business and conflicts. Unfortunately for the Herero, the German used the protection agreements they made with two of its tribes to control the entire ethnic group.

1c. German and Herero Relations: The Actions that Led to War

After traveling around the colony meeting with chiefs and signing Protection Agreements, the new Governor Leutwein began to use the agreements to his advantage. Although only the Okahndja and Omararuru tribes of the Herero ethnic group had signed the agreement, Leutwein considered the entire group bound to it. He appointed “the chief of the Okahandha Herero as Paramount Chief of all Herero tribes, and held that all other chiefs were bound by his agreements and decisions” (*Report on the Natives...* 30). The Herero had a very structured government system of their own. With this interference the “customs of the people were violated” and the structure of power slowly began to crumble (*Report on the Natives...* 39).

In addition, the Herero land was also being threatened by the construction of railroads and the increase of German settlement. The railroad to Windhoek, completed in 1903, took “three and one-half million hectares out of a total of thirteen million” (Bridgman 67). The Germans wanted to continue construction of a Swakopmund-Windhoek line, which would lead to further Herero relocation and land loss (Bridgman 58). Furthermore, in order to attract more German settlers, Governor Leutwein began circulating the idea of tribal reservations. German forces were becoming more and more intrusive.

The greatest threat above all, however, was the debt the Herero accumulated over the years. The German Settlers had taken advantage of the tribesmen, lending money “at usurious rates of interest”. Governor Leutwein, in an attempt to protect the Herero, sent out an ordinance to wipe out the debt. The ordinance said, “All outstanding debts which were not collected within a year would be null and void”. Although he had desired to help the Herero, it backfired. The German settlers, in fear of not getting any of their money back, became very aggressive with the Herero. They hired local officials to take “as many cattle as they thought necessary to cover claims- and [...] a few extra to cover any future claims” (Bridgman 59). The German had taken Herero land and now their most prized possessions, their cattle. In 1890, before German interference, the Herero people “possessed well over 150,000 head of cattle”(Report on the Natives... 41). In 1897, a plague known as the Rinderpest scourge killed approximately sixty thousand cattle, leaving ninety thousand. With the invasion of German settlers, the “Herero retained 45,898 head of cattle, while the 1,051 German traders and farmers then in the country owned 44,487” (Report on the Natives... 41). The Herero were losing their way of life and independence. Without enough land or cattle, many began working on German farms.

Racial tension was escalating. The Germans believed that they had the inherent right to own the land. Leutwein described German South West Africa as “a land which had not yet been conquered” (Bridgman 60). German settlers exercised their self-appointed supremacy in all facets of life. One issue that often occurred during colonization was uneven numbers of men and women. The fact that there were “4000 white males in South West Africa and only 700 white females” was a grave danger to the

female Herero. Unequal numbers and the mindset of white supremacy meant that “German men took their women, peacefully if possible, but otherwise by force” (Bridgman 61). Women became slaves for male settlers, taken from their homes and subject to frequent abuse. German settlers believed they had these rights, considering those with black skin as less than human.

This notion was demonstrated by how settlers treated native women and the native men they employed. The white settler’s mindset is expressed in a proverb of the time: “leniency towards the natives is cruelty to the whites”. White settlers knew that, stripped of their land and cattle, the Herero “could not possibly all be employed as farm labourers” and so “to reduce the number of Hereros was performing a public service”. In their minds, natives were expendable and there was simply not enough space for everyone. During 1890 to 1904, many “died as the result of brutal floggings and ill-treatment” (*Report on the Natives...* 53).

The Herero people were threatened in all fronts – their land, their cattle, their freedom, and their women. In order to save their culture, they had to fight back.

1d. Uprising and War

The opportunity to revolt arose in early 1904. Leutwein had been ordered to resolve a dispute in the South, leaving only a company of troops in Outjo and one at Okahandja to control the entire central region of the country (Bridgman 64). Herero chief Samuel Maharero organized the revolt, counting over “8000 Herero warriors” ready to fight. The goal was to both hit the German power structure, by attacking outposts and communication and transportation systems, and to attack the German farmers (Bridgman 69). On January 12, 1904, the attack commenced in Okahandja. The rebellious spirit

spread like wild fire. Within days “almost every farm, village, and fort in Hereroland was attacked or at least threatened” (Bridgman 73). Leutwein later provided that one hundred twenty-three people had been killed. News of the violence spread quickly around the country, and white settlers began banding together. Even though most Herero had nothing to do with the rebellion, they were all considered a threat. The German community in Otjimbingwe, for example, who had peacefully shared a town with the Herero for several years, now felt threatened. Although the Herero continued on with peaceful daily life, the white settlers abandoned their farms and fortified an old farm building. On January 23, 1904 German troops opened fire on the Herero, who were at their Sunday church service (*Namibia - Genocide and the Second Reich*). Out of fear, the German were now killing the innocent, turning a revolution into a race war.

By August 1904, the Herero had retreated. They moved as far away from German settlement as possible, awaiting peace agreements to end the war. From their perspective, the war was over. The native’s understanding of war was that great battles were fought, one side would win while the other retreats, and then peace agreements would be made. They expected civil respect from opponents and restrained further aggression once the fighting was done (*Genocide and the Second Reich*).

Although Leutwein returned from the south, attempting to start negotiations and make peace, it was too late. Radical German settlers had their excuse to start a full-fledged war and finally gain possession of all of the land. Worst of all for the Herero, “Leutwein, having been declared too lenient, was superseded by von Trotha” (*Report on the Natives...* 59). Leutwein, though a German general, had often been a friend to the natives. He had worked for peaceful coexistence and had even gone against the German

settlers when the Herero were being taken advantage of. General Lothar von Trotha was a tyrant with experience dealing with rebel natives, and the man who would bring most Herero to their graves.

I.e. General Lothar von Trotha

As the Herero gathered at Waterberg, the last waterhole before the Kalahari Desert, von Trotha was building an army. On August 11, 1904 von Trotha's forces surrounded the tribes at Waterberg. Now known as the Waterberg Massacre, German forces opened fire, leaving one side of the encirclement open. The Herero were forced east right into the Omahake, or Kalahari, Desert. A two hundred mile long guard post was built, trapping the Herero in on the barren land (*Namibia - Genocide and the Second Reich*). Starvation and dehydration kills a man just as well as a bullet.

German troops stood behind von Trotha, as "the Herero were persecuted through the desert, where the wells had been poisoned" (Torreguitar). Von Trotha did not simply accept his triumph and end the war. He wanted full control of the colony without any future conflict. In October 1, 1904, von Trotha issued his famous annihilation order:

I, the Great General of the German Soldiers, address this letter to the Herero people. The Herero are no longer considered German subjects. They have murdered, stolen, cut off ears, noses and other parts from wounded soldiers, and now refuse to fight on out of cow-ardice. I have this to say to them: Whoever turns over one of the captains to one of my garrisons as a prisoner will receive 1,000 Marks and he who hands over Samuel Maharero will be entitled to a reward of 5,000 Marks. The Herero people will have to leave the country. Otherwise I shall force them to do

so by means of guns. Within the German boundaries, every Herero, whether found armed or unarmed, with or without cattle, will be shot. I shall not accept any more women and children. I shall drive them back to their people— otherwise I shall order shots to be fired at them. These are my words to the Herero people. (Torreguitar)

The Herero were hunted for the next two months, poisoned, bayoneted, and hung with fencing wire (*Report on the Natives...* 66). German citizens in Berlin were outraged upon hearing the news, however Kaiser Wilhelm II took no action, allowing things in South West Africa to play out (*Namibia - Genocide and the Second Reich*). Finally on December 9th, 1904, von Trotha was ordered to accept the Herero's surrender and begin the process of welcoming the Herero back to German South West Africa. It took almost a year to "persuade all the Hereros and Hottentots who survived to surrender" and return. They only did so because the alternative was to die of starvation and dehydration in the desert. The Germans had proven themselves untrustworthy; however, the natives had no choice (*Report on the Natives...* 97). The Nama had also rebelled after the Herero's defeat, employing guerrilla warfare to wear down the enemy. The Germans responded by threatening to extend von Trotha's policy of extermination should they not surrender. The Nama did surrender, and suffered the same fate as the returning Herero (Zimmerer 51).

If. Concentration Camps and Experiments

Instead of returning home, the Herero and Nama were sent to concentration camps. The concentration camp in Windhoek was Germany's first mass concentration camp (*Namibia - Genocide and the Second Reich*). A larger extermination camp was also

built on Shark Island in Lüderitzbucht. There, “murder through deliberate neglect was policy”. The camps served as a way to continue von Trotha’s extermination order, “prohibit [the prisoner’s] support for the fighters”, and as “work camps providing both private and state concerns with the work force that was so urgently needed” (Zimmerer 51-53). Acting Governor Tecklenburg explained the necessity for the concentration camps, demonstrating German settler’s desire for vengeance: “Our actual successes in battle have made only a limited impression on them. I expect that the period of suffering they are now experiencing will have a more lasting effect” (Zimmerer 55).

The Herero and Nama were transported by cattle trains, assigned numbers, and forced to wear metal tags. The cold weather and scarce food led to many deaths, which the Germans kept meticulous records of. Over fourteen volumes of death registers were found. It is estimated that approximately two thousand Herero died in Swakopmund (*Namibia - Genocide and the Second Reich*).

There were additional smaller camps run by large companies, benefitting from the free labor. The Lenz Co., for example, had two thousand fourteen prisoners in 1906. The prisoners were worked so hard that only six hundred fifty-five remained alive six months later. Major camps also rented out slaves to businesses for ten marks per month. Slave labor became a big part of rebuilding German South West Africa (*Namibia - Genocide and the Second Reich*).

Along with imprisonment and forced labor, the Herero and Nama were also condemned to help the guards on Shark Island pursue the “racial sciences” (*Namibia - Genocide and the Second Reich*). Scientist and professor of medicine, anthropology, and eugenics Eugen Fischer visited camps and became famous for his study on mixed race

children. With the high rape rates on Shark Island, there were many children to study. Fischer used seven hundred seventy-eight heads of dead prisoners in order to prove “that each mixed-race child was physically and mentally inferior to its German father” and that the black race, in general, was inferior to Europeans ("Namibia 1904."). He wrote a book called 'The Principles of Human Heredity and Race Hygiene', which was later read by Adolf Hitler. He was praised for his research, becoming the director for the Kaiser Wilhelm Institute for Anthropology, Human Heredity, and Eugenics in 1927. Additionally, in 1933, he was appointed by Hitler to “implement a national program in race hygiene” ("German/Nazi Eugenics."). In addition to experiments within the camps, over three hundred skulls were sent to Germany for further analysis (Knight).

The race experiments were significant, as they justified German action against the Herero. It was “scientific” evidence that the African race was inferior, and so required the guidance and discipline from the German settlers. Although Fischer had not actual scientific evidence whatsoever, the Germans in South West Africa were quick to accept his results.

1g. Cultural Cleansing, Release and Aftermath

While most of the Herero and Nama were placed in the concentration camps, some children were chosen as servants and placed with the German army. They became the army’s “mascots, and servants and later auxiliaries for the German forces” (Zimmerer 136). This was a way to cleanse the Herero of their culture and raise the new generation sympathetic to the German settlers. It was an intelligent strategy to brainwash the Herero, a strategy later used in the Third Reich. Hitler created the Hitler Youth organization, teaching children from the age of ten to be “race-conscious, obedient, self-sacrificing

Germans who would be willing to die for Führer” (“Indoctrinating Youth.”). Hitler, like von Trotha, knew that children were the future, and controlling the future meant survival of German ideals.

German forces also tried to cleanse the natives by introducing a new religion. Tortured, suffering, and aware that death was imminent, prisoners lost their culture. Most prisoners were converted to Christianity, promised a new identity and “a social order distinct from German control” (Zimmerer 136). It was a way to escape reality and an assurance that Germans were not really in charge. A greater power ruled even the German.

The Herero and Nama endured years of torture, rape, and forced labor and made transformations into soldiers and Christians in order to survive. Influenced for over four years while in captivity, the Herero had changed. Losing a majority of their people, including prominent elders who kept their faith and culture alive, it was difficult to return to old values. The last prisoners were released on January 27th, 1908. The war had officially ended on March 31st, 1907. The majority of the Herero tribe died of starvation and dehydration trapped in the Kalahari Desert. The approximately seventeen thousand desert survivors were then put into concentration camps with the Nama, where another “7,682 died between October 1904 and March 1907” (Zimmerer 58). The Herero population fell from the initial eighty thousand in 1890 to approximately fifteen thousand in 1908. The Nama ethnic group lost fifty percent of its population, almost ten thousand people (“Namibia 1904.”).

Released from concentration camps, the Nama and Herero remained under German control. The country’s power structure had shifted significantly and the natives

returned foreigners to their own land. They were subject to live by “German norms” in a “society based on racial privilege” that was dependent on “a labour market based on modified serfdom” (Zimmerer 58). The Herero and Nama had lost all of their land to white settlers and scattered the country in search of new work. The Herero had lost their identity as cattle herders, now taking jobs such as “farm workers, household servants, [and] church preachers”. There was a lot of work available, as the German establishments had lost their free labor after prisoners were released; however, the jobs came with a price. The Herero were working under Germans once more. This continued until 1915, when South Africa took over and restructured the country (Zimmerer 138).

1h. Land Reform in Namibia and the Herero Tribe's Initial Demands

Today, over one hundred years after the genocide, most native Namibians live “in crowded tribal areas while powerful and wealthy ranchers still own millions of acres” (“Namibia 1904.”). After the Herero fled and Germany acquired their land, it was sold to German settlers “on favorable terms, with long-term loans subsidized by the government” (Harring). At Namibia’s independence in 1990, six thousand one hundred twenty-three of the total six thousand two hundred ninety-two farmers were white-owned, covering “95% of the surface area of the commercial districts”. Of these, foreign absentee farmers owned three hundred eighty-two farms. The Namibian government passed the Agricultural (Commercial) Land Reform Act 6 in 1995 in an effort to distribute the land more evenly and increase land utilization. It was a “willing seller, willing buyer” policy where the government encouraged farmers to sell the land they were not using. The government would pay for the land and then offer it to the landless. The policy had many issues, and it soon became clear that farmers were not willing to sell their land, even if it was being

poorly utilized. The government had to take a more aggressive approach, expropriation (Amoo 21).

Expropriation, known as eminent domain in the United States, is when a government seizes private land and pays off the owners, all for public benefit. In 2005, the Namibian government seized its first farm, paying five hundred thousand dollars to Hilde Wiese to leave the property. That year, “expropriation orders have been served on 18 commercial farmers” (*"Namibia Expropriates First Farm."*). A decade later, the government continues expropriation, but with a little more caution. *New Era Newspaper*, a Namibian publication, released an article on the policy in March 2015. The article states that although expropriation is a good way to gain more land supply, it does not “necessarily reduce the prices” and therefore will only be used “when absolutely necessary”. The government is looking for cases where “the land owners are absentee and not utilising their land,” as the ultimate goal is full land utilization with as many farmers as it takes to make it happen. The article also mentions the Agricultural Land Reform Act that “restrict[s] the sale of land to foreigners in an effort to reduce pressure on the limited resource” (*"Expropriation Has Its Challenges – Report."*). With these the policies, the government demonstrates its effort in redistributing land. The Herero, however, still lack the funds to afford the farms the government is offering.

The Herero make up approximately eight percent of the Namibian population. Most work as cattle herders on white commercial farms, and some Herero have moved to Botswana. Most do not receive any government support, as they are part of the political opposition party (*"Namibia 1904."*). They, therefore, live very simple lives, working hard and making just enough to survive.

Although the Herero have demanded compensation for the ethnic group's suffering, no formal apology has been given, or land returned. The country has, however, been receiving aid from Germany, which amounts to over "€500 million (\$619 million)" since Namibia's independence. The country as a whole depends on this aid, and it mostly "goes to non-Herero majority interests" ("Germany Asks for Namibians' 'Forgiveness'."). The Ovambo, which had been of equal size to the Herero in 1890, now make up over half of the population ("Namibia People / Tribes and Their Cultures."). Namibia's ruling political party, South West African People's Organization (SWAPO), was created in the 1960s with the support of the Ovambo, and today most of its key leaders remain part of this dominant tribe ("South West Africa People's Organization (SWAPO)."). SWAPO receives German aid and therefore controls distribution. If the Herero War had not ended with genocide, the Herero tribe would rival the Ovambo in population size today. Politics in Namibia would be vastly different, and a fair resource distribution would allow the Herero a better quality of life. War with Germany marginalized the tribe politically and is the root cause of the Herero tribe's continuing struggle. For this, they demand reparations and a formal apology.

In 2004, Minister Heidemarie Wiecek-Zeu attended the commemoration service for the one hundred year anniversary of the Battle of Waterberg. There, she stated that "We Germans recognize our historical, political, moral and ethical responsibility and guilt," and asks for forgiveness ("Germany Asks for Namibians' 'Forgiveness'"). Never, however, did she actually explicitly apologize for the act. With her careful choice of words, she confirmed that the German refused to pay reparations. Wiecek-Zeu went on to explain that while it would be called genocide today, "international laws to protect

civilians were not in force at the time of the conflict” ("Germany Admits Namibia Genocide."). In their opinion, the German government did not owe the Herero any reparations. Do they?

Many believe that the conflict from 1904-1908 was simply a consequence of colonization. What makes this incident any different from the thousands of colonial wars fought around the world? Hundreds of thousands of natives perished at the hand of white settlers and European armies. This argument may have some truth to it, but there is one difference. General Lothar von Trotha, with his annihilation order, explicitly laid out his intentions to start a race war. The conflict, therefore, compares closely to the Holocaust in Europe from 1933-1945. Even though, initially, the Germans had wanted control of the land, the aggression continued even after meeting this goal. Their true desire was vengeance, attempting to completely wipe out the entire ethnic group. After the Herero stopped fighting and retreated to Waterberg, the German army should have made peace agreements. This would have made the conflict comparable to other colonial wars. Trapping the Herero in the desert, shooting the helpless dehydrated women and children, and working them to death in concentration camps expose the German settlers stepping out of the realm of colonial dominance and into genocide and heinous manslaughter. Germany paid heavily for the European Holocaust, and the question remains whether or not Germany is responsible for rectifying the atrocities committed from 1904 to 1908.

PART 2: The Reparations Movement

The Herero, desiring the life and culture they once had, are fighting for reparations. They do so against powerful opposition, spanning from right at home to across the globe. The following section outlines both sides of the debate, detailing the arguments made in court. Afterwards, it discusses the continuing movement for reparations and where the debate stands today.

2a. Opposition to Reparations: Arguments in Court

The closest opposition was the Namibian government itself. The government, dependent on Germany's aid, protested Herero reparations, claiming that "all Namibian tribes were victimized by colonial exploitation" and no tribe alone should receive reparations (Harring). The government argued this because if the Herero were to win reparations from Germany, Germany would likely cease giving aid to the Namibian government, using the money instead to pay off the Herero. For the Namibian government, the funds were simply too important. The government supported actions that benefitted the country as a whole, including its own officials, and reparations to the Herero would only benefit eight percent of the population.

Without government support, the Herero decided to fight for reparations on foreign soil. The tribe united, and from 2001-2007, the Herero People's Reparations Corporation filed several lawsuits in American courts. Fighting against their own government and large German companies, the Herero had several obstacles to overcome.

The first obstacle was the Colonial Law of Conquest. The Herero wanted their land back, but could not file lawsuits to recover land because of this international law. The law states that those who lost property during conquest "cannot recover nor be

compensated for their “stolen” lands” (Harring). The law acknowledges that it was common procedure of any conquest to acquire land and remove natives from it. Many natives have tried to recover land; however, “historically, indigenous lands taken by European settler societies have rarely been returned” (Harring). In order to overcome this obstacle, the Herero instead focused their lawsuits on reparations for the genocide instead of for stolen land. They aimed to use the money they won in court to buy back land. This way, they would be able to navigate around this law, not directly fighting for the land, but still recovering what they desired.

The second obstacle was the time line. The Herero Genocide happened over one hundred years ago and opponents ask, why now? Why has it taken the Herero so long to demand reparations? Those who had suffered through the genocide are no longer living, and it is the children and grandchildren who are making demands. Legally, there is no statute of limitations for reparation cases; however, the timeline gave judges a different perception of the case (Harring). Over a hundred years ago, the world was completely different. This creates distance between expectations of today and back then. This is an obstacle for the Herero that can be explained, but not overcome. The Herero took so long to make demands because right after the Germans left, the South African government took over. Namibians, like the South Africans, faced apartheid restrictions, which “effectively blocked raising a reparations claim until independence in 1990, and the Herero raised their claim almost immediately thereafter,” (Harring). The Herero had made the claims as soon as they were freed from their second imprisonment. Even so, some believe that it is too late.

The third obstacle was Germany's resistance to apologize and fully claim responsibility for the war. German Chancellor Helmut Kohl visited Namibia in 1995, but refused to meet with the Herero (Harring). In 2004, Minister Heidemarie Wiecek-Zeu made a speech asking for forgiveness, which was later "dismissed as a purely personal remark, not representing government policy" (Schmeller). Germany continuously refuses to take full responsibility, in fear of being obligated to pay reparations. Without admitting to the act, the Herero had to prove in court that the German government should take responsibility. Germany fought against the claim for reparations with full force and will continue to do so until the Herero back down.

Germany is not the only government that would lose if the Herero won reparations. The debate is being closely watched by other European powers. Paying reparations would open the floodgates to many other possible claims. It would "set a precedent which could trigger negotiations elsewhere" and cost European powers (Schmeller). The court's decision, therefore, was critical, and the threat of creating precedent for future cases made the decision bigger than just whether or not the Herero should gain reparations. This strengthened the Herero's opposition.

The fourth obstacle was the claim that there was no international law at the time protecting against genocide. Roman Herzog, the president of Germany in 1998, argued, "no international legislation existed at the time under which ethnic minorities could get reparations" (Harring). The Nuremberg Charter, which defined crimes against peace, war crimes, and crimes against humanity, was created in 1945 (D.Schindler and J.Toman). In addition, the United Nations Convention on the Prevention and Punishment of Genocide was only adopted in 1948 (Schabas). The term "genocide" was only

officially “used by Raphael Lemkin in his book *Axis Rule in Occupied Europe*, published in late 1944” (Schabas). In order to make their claim, the Herero had to find laws passed before their war in 1904. They faced the challenge of proving that the Herero Genocide was more than colonial conquest and illegal when committed. Henning Melber, an expert on Namibia from the Dag Hammarskjöld Foundation in Stockholm, voiced one of the strongest arguments against the Herero, claiming “all colonial powers were ruthless”(Schmeller). The Herero war was the result of colonialism, like hundreds of other wars that occurred in the nineteenth century. The beginning of the war, the Herero can agree, was a result of conquest, but what about the genocide? It was normal, at the time, for European powers to take land and move natives. It was common to have colonial wars, with entire armies ruthlessly killing weaker opposition. What was not common, however, was the desert exile even after surrender, the experiments, and the concentration camps. Kaiser Wilhelm II knew of von Throtha’s barbarous violence, but did not stop it until it was too late. The extermination order, calling to kill an entire ethnic group, was also the first of its kind. Even though the Herero could make these arguments against Henning Melber, they still faced courts without the strong support of direct international legislation that applied to their situation.

After hearing the opposition, the Herero tribe’s claim to reparations seems weak. The Herero had no government support and could not directly fight for land because of the Colonial Law of Conquest. Time was not on their side, and Germany continued to resist apologizing, even a decade after the war. European powers supported the German government in fear of facing claims of their own, and lawyers claimed that no

international law existed at the time of the “genocide”. Could the Herero be reaching for something unattainable?

2b. Herero Rebuttal: Comparison to the Holocaust

Although the Herero faced immense opposition and numerous obstacles, they proceeded in building their case. As previously mentioned, the Herero People’s Reparations Corporation focused on the genocide. They used Germany’s history of reparations after WWII and the international agreements such as the Second Hague Convention of 1899 to argue Germany’s wrongdoing and responsibility.

The Herero’s argument for reparations relied heavily on the “logic of reparations for Jews and other peoples victimized by the Germans before and in World War Two” (Harring). The case relied on whether or not the Herero could convince the court that the Herero War was more akin to the European Holocaust than other African colonial wars. There are many similarities between the two genocides, as the genocide in German West Africa was Germany’s first run through. The military learned from the Herero genocide and used successful approaches later in 1933. Indicating the correlation between both wars was essential in convincing the court that the Herero suffered as the Jewish had, and that they too deserved reparations.

Both genocides shared many similarities. Hitler employed “Lebensraumpolitik as a guiding principle” behind Germany’s need for expansion (Madley). It was an ideal “that Ratzel had conceived with German South West Africa in mind and that modern Germans first put into practice there”. Lebensraumpolitik consists of three elements: the geographic space needed to sustain Germans, the need for expansion, and the necessity of a “strong agricultural base to flourish”. The theory was built “under the assumption that

superior cultures destroy inferior cultures in battles for living space”, which, in Ratzel’s perspective, is what happened in German West Africa. This later became Hitler’s goal in Europe as well. Ratzel’s written work was influential in German politics, as “Nazi leaders proclaimed Lebensraum a prime objective” throughout WWII (Madley).

Another concept inherited by the Nazis was Weltanschauung. This concept justified the way “in which superior Germans ruled over sub-human non-Germans with brutality and slavery”. It is based on racism, degrading Africans to “robbers and thieves, nothing more”. This helped clear the conscience and rationalize German atrocities, supporting extermination and forced labor. The notion that “non-Germans had the right to exist only in so far as they served Germans” was born in German West Africa, and reborn during the Second World War (Madley).

Racism was a major part of both German South West Africa and the Third Reich. It was part of the legal system, economics, and medical research. For German South West Africa, lebensraum and weltanschauung were based on the black man’s inferiority, and so society was built around this concept. General Leutwein admitted that “racial hatred has become rooted in the very framework of justice”. White employers had total power over African employees, and the fear of miscegenation led to a “ban on interracial marriage”. Nazi Germany shared many of the same laws, but instead of just Africans, considered any non-Aryan to be inferior. Gerhard Wagner, the leading Third Reich doctor, “warned of racial poisoning and pollution of German blood”. Hitler used the term Rassenschande, which came from German South West Africa’s Rassenmischung laws, defining interracial sex as “sinning against racial consciousness” (Madley). Hitler used many of the concepts created in German South West Africa to criminalize the victims in Europe.

Both wars were considered “Rassenkampf, or race wars”, with the goal of wiping out the entire ethnic group or population. This led to brutal violence and the systematic murder of prisoners of war and civilians (Madley). The enemy was considered less than human, and this justified any treatment they received. In order to prove their insignificance, both von Trotha and Hitler employed scientists to do experiments. As mentioned in Part 1, Eugen Fischer, who experimented by decapitating Herero during Herero containment in concentration camps, also worked for Hitler to find evidence to “support the ideal of a pure Aryan society” (“German/Nazi Eugenics.”). Hitler read about Fischer’s work while he was imprisoned in 1924 and was then inspired to have science support his own genocide. Racial experiments mark yet another similarity between the second and third Reich.

Similar rhetoric was used during both wars. Both genocides share concepts such as Lebensraum, Vernichtungsbefehl (physical annihilation of the entire population), and Rassenkampf (Madley). Although the Holocaust was on a much larger scale, the strategies Germans used in Europe paralleled those in German South West Africa. Both had an annihilation order, concentration camps, racial experimentation, and extermination. Both had ruthless leaders obsessed with race and expanding the size of their own superior race. Neither leader spared prisoners of war or civilians who had surrendered. The Herero, like the Jewish, were starved and dehydrated. They were hauled like cattle on trains to concentration camps. They endured years of suffering, and those who survived lost everything except their lives.

The Jewish received reparations. The Herero ask why they do not. Since 1952, when the first agreement was made between Israel and West Germany, *The New York*

Times estimates that Germany has paid “\$89 billion in compensation” (Eddy).

Reparations began after a six-month negotiation between Israel's foreign minister Moshe Sharett and West German Chancellor Konrad Adenauer. Israel demanded reparations for the expense it incurred “in the absorption of 500,000 Nazi victims” who fled to Israel during the Holocaust. They agreed upon “\$845 million: \$100 million earmarked for allocation by the Claims Conference and the remainder to Israel”(Levine). This was only the first payment, as “over the years, the agreement has been amended and adapted to reflect the geopolitical changes in Europe” (Eddy). The latest amendment “expand[s] the definition of which Holocaust survivors are entitled to compensation by including Jews who lived in “open ghettos” during the Second World War”. In 2013, Germany agreed to pay another seven hundred seventy-two million euros (about one billion U.S. dollars at the time) to Holocaust survivors, which “benefit almost 56,000 people around the world” (Ghosh). After WWII, Germany was quick to pay reparations and they have stood by their obligation for over sixty years. If the Jewish deserved reparations, then why not the Herero? The Herero used Germany’s historic commitment to reparations to argue that they deserved compensation too.

2c: Herero Rebuttal: International Law

Another important aspect of their case was their perspective on international law. Although no direct international laws help support the Herero, two articles from the *West Virginia Law Review* and *California Law Review* argue that there were in fact international agreements breeched by the genocide. Rachel Anderson, in her *California Law Review* article, contends, “European powers had obligations to colonized peoples both under natural law (humane, ethical, moral, and religious duties) and under positive

law (treaties such as the Berlin West Africa Convention, the Anti-Slavery Convention, and the Hague Convention on the Laws and Customs of War on Land)” (Anderson). Under natural law theory, the treatment of the Herero by the German was morally and ethically wrong. This, however, is not the point in question and not enough for court. The Herero needed specific agreements made, under positive law to make their case. For example, Germany breached the agreement made during the Berlin West Africa Convention. After splitting up the land, countries had to agree to a set of guidelines “such as the "preservation of the native tribes," the suppression of slavery and the slave trade, and the protection of religious freedom” (Anderson). Germany explicitly ordered the extermination of the Herero tribe instead of preserving it, and the concentration camps turned survivors into slaves. In addition, Germany signed the anti-slavery agreement in 1890. The pledge to “protect the native races of Africa from oppression and slavery”, as discussed earlier in Part 1, was not upheld (*Report on the Natives... 18-19*). After the Herero returned and were put in concentration camps, some were sold and/or rented out to companies. This allowed the companies to benefit from much cheaper labor, building their own concentrations, and colonial German to profit off of those contained. News got back to Germany, and throughout the war von Trotha and other leaders were never secretive of their intentions and actions. The consequences for breaching the promises made at the Berlin Convention and Anti-Slavery agreement, however, were not specified. Other countries did not get involved in the German West-African war, and no penalty was charged.

Germany also attended the Second Hague Convention of 1899. Harring in the *West Virginia Law Review* mentioned this convention as the international laws of war

agreement the Herero specified in court (Harring). The convention agreement was not used in “literal application”, but “as a statement of international customary law” (Harring). This is because the agreement bound the European powers to “civilized warfare [...] between the signatory nations” (Harring). They promised to do the following when in war against each other. Prisoners of war were to be treated honorably and maintained by the country that captured them. The countries were prohibited to “kill or wound treacherously” those who they caught or “destroy or seize the enemies property”. They agreed on civil, respectful war. The Herero could not apply the agreement literally, because it had not been one of the signatory nations. They argued, however, that this set a list of expectations the European powers agreed were appropriate during war. It defined wartime human rights. If they were agreed upon for European nations, then why would these same human rights not apply to Germany’s war against the Herero? To establish that there were two sets of rules, one for the European nations and one for colonial wars, would put Germany in “an untenable moral position” (Harring). Ethnic and racial prejudice as a justification for treating the Herero differently than they would fellow European powers, breaches natural law.

Along with the Second Hague Convention, Anderson with the *California Law Review* also believes that “international legal prohibitions against some forms of genocide, such as wars of annihilation [...] were embedded in both treaty and customary law by the late nineteenth century” (Anderson). Von Trotha’s annihilation order makes the Herero Genocide a clear war of annihilation. Although the order was rescinded in December of 1904, it was played out nonetheless, wiping out eighty percent of the tribe. In addition, Germany also signed the 1890 German-Belgian Agreement, in order to

“criminalize trade in girls” (Anderson). With disproportionate numbers of white males and females in the settlement, crime against women was rampant. During the war, women and children were not spared, and in concentration camps the torture continued. Trade in girls may not have been illegal, but Germany pledged to consider it so. The German-Belgian Agreement is yet another example of the many agreements Germany violated.

Customary law “was the dominant source of international law” during the twentieth century. Customary laws are “international obligations arising from established state practice, as opposed to obligations arising from formal written international treaties” (“Customary International Law.”). They provide the Herero with some support, but not as much as a treaty would. There exist customary laws of war, “requiring captors to spare the lives of prisoners of war dat[ing] back to early India” and through the “Roman Empire and the Middle Ages” (Anderson). This supplies evidence that standards for war prisoners had been set far before the Herero Genocide.

Germany, acquainted with customary international law, violated many of its obligations, and, having signed several agreements with the other European powers, agreed upon what it meant to be civil in war. The signatures are incriminating; however it is uncertain if Germany’s agreements were actually legally binding treaties or simply memorandum of understanding. Memorandums of understanding are agreements made between two parties, demonstrating mutual agreement on a subject or action, but “no legal claim could be based on the rights and obligations laid down in them” (“Memorandum of Understanding (MOU).”). The interpretation of whether the Berlin West Africa Convention, the Anti-Slavery Convention, the Hague Convention on the

Laws and Customs of War on Land, and the German-Belgian Agreement were legally binding was up to the court.

2d. Legal Claims Filed in Washington D.C. and Results of Court Cases

Although the Herero had some legitimate claims, recent court cases were not resolved in their favor. The agreements Germany made were considered memorandums of understanding and thus no international laws existed against the Herero Genocide as had existed against the Holocaust. The first claim was filed with the Superior Court of the District of Columbia, against the Deutsche Bank for two billion U.S. dollars in compensation ("Herero Massacre..."). Since it was a matter of international law, "the case was removed to federal court" and then dismissed in 2004 "for failure to state an actionable claim" ("German Cos. Lawsuit (by Hereros)."). Circuit Judge Randolph determined that the complaint "did not identify the specific law supplying the cause of action" which left "the Herero without a statutory basis for asserting jurisdiction" (The Herero People's Reparations...). The case against "Deutsche Bank was refiled in the US District Court for the Southern District of New York", but later dismissed because it made the same claims that already had been decided on in 2004. The Herero tried once more in 2006 with a case against Woermann, a company that bought prisoners. The case was filed "in the US District Court of New Jersey with the Herero alleging forced enslavement and crimes against humanity under the Alien Tort Claims Act". The case was dismissed in 2006, without a "valid cause of action under ATCA" and because "the applicable statute of limitations had expired". This case was then appealed in 2007 in the US Court of Appeals for the Third Circuit, resulting in the same conclusion ("German Cos. Lawsuit (by Hereros).").

Judges did not agree that international genocide laws existed in 1904 and asserted that the Herero could not use modern legislation as actionable claims. Without Germany's formal apology or classification of genocide, the Herero War was considered an unfortunate colonial war. The colonial German West African government was considered an entirely different government than the German government today, and therefore no reparations were considered due. The cases became popular news and not everyone agreed with the court's decisions. Although the cases did not provide the outcome the Herero had hoped for, "the campaign did raise awareness and put pressure on politicians" (Aidi). The Herero left with more support and more certainty than ever that they deserved reparations and would continue fighting for them.

2e: Herero Reparations Movement Gains Support

After disappointing results in U.S. courts, the Herero nonetheless decided to keep fighting. Although they had been defeated, they returned home with increased support and the power to start a movement. This section outlines what this movement has achieved since the disappointing results in D.C. and demonstrates how strong the Herero have become. They gained support in Namibia, from international organizations, and from members of the German government.

The Namibian government finally pledged its support in September 2006. They invited Herero "paramount chief, Kuaima Riruako, an MP and president of the National Unity Democratic Organization" to attend a meeting of the national assembly. For the first time, "German colonial crimes" were discussed and the motion to demand reparations "received such overwhelming support from the ruling party". Namibians united, agreeing that the Herero deserved reparations, as they were "the survivors of the

first genocide ever committed in Africa and the world”. The Namibian government pledged to support the Ova Herero, formally acknowledging that they “were the guinea pigs of the murderous crusades that have left a terrible scar on the conscience of the human race” (Kaumbi). The government decided to risk the loss of German aid in order to join the movement for reparations. After filing claims in court, this movement had picked up momentum.

The Namibian government began work on recovering remains. During the genocide, scientists such as Fischer sent skulls to “Germany for supposed scientific studies aimed at underpinning the doctrine of racial superiority”. Over three hundred skulls were received in Berlin and then distributed to research facilities around the country. In September 2011, 20 skulls were finally sent back home to Namibia. It required a “massive research effort” to identify the 11 Nama and nine Herero skulls (Knight). This was a significant victory for Namibians, finally receiving acknowledgement and a response from German authorities. Although there remain hundreds more skulls to be identified and returned, this was the first official atonement the Herero had received. The Herero viewed it as the tip of the iceberg, evidence that the German did owe Namibians - first skulls, then an apology, and then hopefully reparations. It placed more pressure on German officials, as Namibians continued to gain support in their movement for reparations.

In 2014, the Herero won another victory, removing a memorial statue from the center of Windhoek. The Equestrian Monument, also known as the Horse, honored the Germans who had died during the Herero War. It stood where a concentration camp had once been, a sign of disrespect to the thousands of natives who had died there. The

monument was moved to the courtyard of the National Museum and replaced by an anti-colonialist statue ("Namibia - Germany's African Holocaust."). Although many German Namibian citizens had protested the move, Herero support overpowered the protests.

2f. International Support and Opinions within the German Government

Support even spread within Germany. Right before the one hundredth anniversary of the Herero War, activists at the Central Memorial of Germany in downtown Berlin demanded their government to "recognise its worst atrocities" before the anniversary. The Göttingen-based Society for Threatened Peoples (GFBV) stood up for the Herero, "maintain[ing] that justice must be done, even if this could have financial consequences". The International Human Rights League and the Global African Congress joined GFBV supporting the Herero by "demanding a visual recognition of the "Herero genocide" at the Berlin memorial" ("Germany Urged to Recognise "Herero Genocide""). Although their demands were not met, this was a significant unified effort, the German and international organizations working together in support of the Herero. The Global African Congress (GAC) was created to help make this happen. It was assembled in 2002 and is a group working for any African reparations struggle. GAC emphasizes "the need for local and international grassroots involvement", unifying Germans and Africans in the movement (Barathieu-Brun).

Support reaches within the German government itself. The Left Party and the Social Democratic and Green parties submitted proposals to the German Bundestag in 2012. The Left Party's proposal went as far as asking the government to offer compensation. The Social Democratic and Green parties' proposal did not go as far, but still asked for a formal legal apology (Caldwell). Of course, the government responded as

it always had, reiterating that the “UN Convention on the Prevention and Punishment of the Crime of Genocide of December 1948 could not be used retrospectively” and that Germany was helping the Namibian economy with aid (Krinninger). The proposals were, however, significant in exhibiting to the world the divide within the German government. An interview with the head of the Green party, Cem Özdemir, on July 9, 2015 demonstrates the party’s ongoing devotion to the cause. Özdemir asserts, “it is high time that we acknowledge that the genocide took place and we were the reason for that genocide”. He argues that Germany should not be thinking of reparations, but of honesty and justice. Later on there will be a reparations debate, but Germany should focus on building the foundation for future relations and finding a way to help the population better their living conditions. This may be in the form of reparations, but there are also other options (“It's Time for Some Kind of Gesture”).

2g: German Bundestag Self Incriminates

The movement picked up speed in 2015, with the support of the Green Party and several other organizations worldwide. The most significant push forward came from the German Bundestag itself. In April, the German parliament branded the “mass killings of up to 1.5 million Armenians by Ottoman Turkish forces a century ago as “genocide””. Using the word genocide, members of parliament have finally “overcome long-held resistance from Chancellor Angela Merkel's government” to avoid this powerful label. The mass killings happened in 1915, not too long after the Herero War (Busemann). President of the parliament, Norbert Lammert, helped make this connection, stating that “anyone who refers to the Turkish massacre of Armenians in 1915 as genocide must also acknowledge that atrocities committed by German imperial troops a decade before in

what is now Namibia should also be described as such” (“Bundestag President Calls.).

The German parliament trapped itself into acknowledging the Herero War as genocide, a goal the Herero had been striving for since making demands in 1990.

The Namibian activists' group "Völkermord verjährt nicht" quickly presented a petition to the German Parliament, asking it to formally state the Herero War as genocide by October 2. Several members of the German Parliament itself supported the Herero and signed this petition (Bundestag President Calls...). Set aside, Germany missed this deadline. In response the Ova Herero Traditional Authority, led by the Ova Herero Paramount Chief Vekuii Rukoro and Chairman of the Association of Nama Traditional Leaders, Chief David Frederick, released a resistance order on October 3. The “Ovaherero & Nama Resistance Order Against German Arrogance and Neo-Imperialist Tendencies Towards the Namibian Government and its People” introduces the conflict and then makes strong demands for action. The resistance order states the following:

Unless the German Parliament adopts the motion tabled by the Left and Green Parties in support of our case due to be debated this month by that country’s lawmakers, the Ovaherero and Nama of Namibia consider and accept the continued arrogant and paternalistic attitude and behaviour of the German Government as a *declaration of war on our people*.

That in response to such neo-imperialist war being imposed on us as an oppressed people, our people have resolved to fight for their dignity as Africans with ALL legitimate means at their disposal until final victory is achieved in the form of restorative justice becoming a reality – however long it takes;

That in pursuit of that struggle for justice we shall, among other things, internationalize the Genocide issue by taking it formally to SADC, AU, UN and other international fora with a view to *get Germany declared a pariah state* that has committed war crimes and crimes against humanity;

We shall also institute legal proceedings against the German Government in an appropriate international legal forum to hold them accountable for their historical liabilities flowing from the events that took place between 1904 – 1908;

We shall launch a massive programme of positive action against German interests wherever they are *until Germany can no longer absorb the pain and losses associated with our campaign*. ("Ovaherero & Nama Resistance Order...")

It is a powerful ultimatum, applying more pressure on German authorities. The Herero realize that if limits are not set, the German government will continuously table the subject and postpone any decisions. For Germany, conceding to the Herero's demands would mean trouble between other European powers. This decision may create precedent for other claims, placing countries such as France and Great Britain under the spotlight. Although this warrants hesitation, it does not free Germany from taking responsibility. The Ovaherero and Nama Resistance Order is daring, and only time will tell how the German government will respond.

Conclusion

Over the years, the Herero have built a strong support system and movement for reparations. Confronted with enduring opposition and defeat in court, they nonetheless continue fighting. Since gaining independence, the Herero desire acknowledgement. They want Germany to admit the war of 1904-1908 was genocide and offer an apology from the highest political office of Germany to the Namibian government and Nama and Herero leaders. Given the cold shoulder during recent visits to Germany, Namibian leaders want to be welcomed to sit down with German leaders and come to an agreement on how to help these tribes progress and restore the lifestyle they had once had ("Rukoro: "You Can't Just Walk Away"). It goes beyond money and reparations. Namibians want to move on and finally put the issue to rest. Over seventy thousand people had been brutally killed by a leader that had confessed his intentions beforehand, with pride and self-appointed superiority. It was a monumental crime against humanity, the first Holocaust of the twentieth century. People should know that it happened. The victims should be honored, and they deserve the respect of Germany calling it what it was, genocide.

The Herero continue to make demands. They continue to gain support and are willing to take the subject even further to international forums, should Germany not acknowledge their Resistance Order. After defining the conflict in 1915 between the Armenians and Turkish as genocide, German officials face more pressure than ever to concede and begin meeting with Namibian leaders.

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